

Introduced by Senator Emmerson

February 23, 2012

An act to amend Section 4629 of the Welfare and Institutions Code, relating to developmental disabilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1259, as introduced, Emmerson. Developmental disabilities: regional centers.:

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to enter into 5-year contracts with regional centers to render specified services.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4629 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 4629. (a) The state shall enter into five-year contracts with
- 4 regional centers, subject to the annual appropriation of funds by
- 5 the Legislature.
- 6 (b) The contracts shall include a provision requiring each
- 7 regional center to render services in accordance with applicable
- 8 provision of state laws and regulations.
- 9 (c) (1) The contracts shall include annual performance
- 10 objectives that shall do both of the following:

1 (A) Be specific, measurable, and designed to do all of the
2 following:

- 3 (i) Assist consumers to achieve life quality outcomes.
- 4 (ii) Achieve meaningful progress above the current baselines.
- 5 (iii) Develop services and supports identified as necessary to
6 meet identified needs.

7 (B) Be developed through a public process as described in the
8 department's guidelines that includes, but is not limited to, all of
9 the following:

10 (i) Providing information, in an understandable form, to the
11 community about regional center services and supports, including
12 budget information and baseline data on services and supports and
13 regional center operations.

14 (ii) Conducting a public meeting where participants can provide
15 input on performance objectives and using focus groups or surveys
16 to collect information from the community.

17 (iii) Circulating a draft of the performance objectives to the
18 community for input prior to presentation at a regional center board
19 meeting where additional public input will be taken and considered
20 before adoption of the objectives.

21 (2) In addition to the performance objectives developed pursuant
22 to this section, the department may specify in the performance
23 contract additional areas of service and support that require
24 development or enhancement by the regional center. In determining
25 those areas, the department shall consider public comments from
26 individuals and organizations within the regional center catchment
27 area, the distribution of services and supports within the regional
28 center catchment area, and review how the availability of services
29 and supports in the regional area catchment area compares with
30 other regional center catchment areas.

31 (d) Each contract with a regional center shall specify steps to
32 be taken to ensure contract compliance, including, but not limited
33 to, all of the following:

34 (1) Incentives that encourage regional centers to meet or exceed
35 performance standards.

36 (2) Levels of probationary status for regional centers that do
37 not meet, or are at risk of not meeting, performance standards. The
38 department shall require that corrective action be taken by any
39 regional center ~~which~~ *that* is placed on probation. Corrective action
40 may include, but is not limited to, mandated consultation with

1 designated representatives of the Association of Regional Center
2 Agencies or a management team designated by the department, or
3 both. The department shall establish the specific timeline for the
4 implementation of corrective action and monitor its
5 implementation. When a regional center is placed on probation,
6 the department shall provide the appropriate area board with a
7 copy of the correction plan, timeline, and any other action taken
8 by the department relating to the probationary status of the regional
9 center.

10 (e) In order to evaluate the regional center's compliance with
11 its contract performance objectives and legal obligations related
12 to those objectives, the department shall do both of the following:

13 (1) Annually assess each regional center's achievement of its
14 previous year's objectives and make the assessment, including
15 baseline data and performance objectives of the individual regional
16 centers, available to the public. The department may make a special
17 commendation of the regional centers that have best engaged the
18 community in the development of contract performance objectives
19 and have made the most meaningful progress in meeting or
20 exceeding contract performance objectives.

21 (2) Monitor the activities of the regional center to ensure
22 compliance with the provisions of its contracts, including, but not
23 limited to, reviewing all of the following:

24 (A) The regional center's public process for compliance with
25 the procedures sets forth in paragraph (2) of subdivision (c).

26 (B) Each regional center's performance objectives for
27 compliance with the criteria set forth in paragraph (1) of
28 subdivision (c).

29 (C) Any public comments on regional center performance
30 objectives sent to the department or to the regional centers, and
31 soliciting public input on the public process and final performance
32 standards.

33 (f) The renewal of each contract shall be contingent upon
34 compliance with the contract including, but not limited to, the
35 performance objectives, as determined through the department's
36 evaluation.